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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,180	10/10/2003	Donald H. Williams	REEL:0019--1/YOD 00RE068A	2586
7590	08/08/2005		EXAMINER PHAN, THIEM D	
Alexander Gerasimow Allen-Bradley Company Patent Dept., 704P Floor 8 T29 1201 South Second Street Milwaukee, WI 53204			ART UNIT 3729	PAPER NUMBER
DATE MAILED: 08/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

rule

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/684,180	WILLIAMS ET AL.	
	Examiner	Art Unit	
	Tim Phan	3729	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

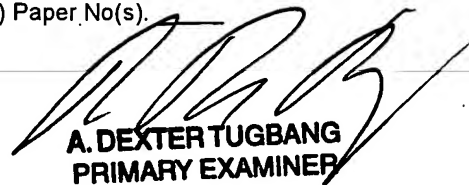
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).
 13. ☐ Other: _____.


A. DEXTER TUGBANG
PRIMARY EXAMINER

Note 11, Continuation Sheet:

Applicants' remarks filed on July 28, 2005 re-traversing the rejections of Claim 1, 2, 4, 7-10, 23-25, 30-32 and 34 are held not to be persuasive for the following reasons:

Applicants urge that Keck does not teach the step of "extruding a portion of the conduit box ..." (Claim 1, line 3; Remarks, Page 7). The examiner's position, as stated in the previous positions (filed on 1/6/05 and 5/24/05), will continue to be that and the examiner's response to the applicants' arguments will be the same one filed on 5/24/05, page 7, section 7.

Applicants assert that Keck does not teach the step of "permanently plastically deforming the extension after the extension is inserted through the first hole ..." (Claim 1, lines 6 & 7; Remarks, page 8). Keck does indeed teach that limitation of "permanently plastically deforming the extension after the extension is inserted through the first hole ..." and it is well known that any plastic device such as plug, hose, or the like that is press-fit into a through hole or opening will be more or less being permanently plastically deformed because its objective is to tight-fit against any leakage by having a plastic material being compressed or squeezed through a smaller size opening, which somehow modifies more or less the structural shape of the plastic device.

Applicants' citations "... the deforming of the crushable projections does not form a flange ..." (Remarks, page 9) were traversed. Keck teaches that the endshield 54 presses against the crushable projections 46A-D and the top side of the rectangular member 24, forcing the left/right/bottom sides of the member 24 to hook/press against the shell 10, at location 48 as a flange. However, the examiner is at a loss trying to understand the applicants' logic that only the shell 10 holds fit the element 12 in place (Remarks, page 9, last paragraph) and not the other way around. It is well known in a basic law of physics that any two simple materials such as plastic and metal, which are tight-fit together are caused by typical friction at the interfacing surfaces, which are mutual. Thus, both the shell 10 and element 12 are mutually tight-fit together.

With respect to the rest of the remarks on pages 10-14 about the plastic deformation's arguments, the examiner's responses are similar to the ones described above.

Again, applicants fail to recognize the scope of the claims when judged in view of Keck. (Cf. MPEP 2111 and In re Geuns, 26 USPQ 2d 1057 (Fed. Cir. 1993))